



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/655,771	09/05/2003	William N. Schilit	FXPL-1023US1	7229

7590 02/08/2007  
MARTIN C. FLIESLER, ESQ.  
FLIESLER DUBB MEYER & LOVEJOY LLP  
Fourth Floor  
Four Embarcadero Center  
San Francisco, CA 94111-4156

EXAMINER
----------

AUGUSTINE, NICHOLAS

ART UNIT	PAPER NUMBER
----------	--------------

2179

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/08/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/655,771	<b>Applicant(s)</b> SCHILIT ET AL.	
	<b>Examiner</b> Nicholas Augustine	<b>Art Unit</b> 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3,8,10 and 13-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,8,10 and 13-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

- A. In response to the amendment filed 11/30/2006: This action is made **Final**.
- B. Claims 1-3,8,10,13-20 are pending in the case
- C. Claims 2,10 and 13 were amended.
- D. Claims 14-20 were newly added.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1,2,3,8,10, and 13 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Kindberg et al (<http://www.hpl.hp.com/techreports/2000/HPL-2000-16.pdf>).

As to independent claim 1, Kindberg et al discloses a method for providing access to services when a Web page is accessed by a user (Section 2.1, Page 3, Paragraph 6 and S. 2.4, pg. 6, lines 8-11) comprising the steps of: receiving a URL code from a user (S. 3.2.1, pg. 8, par. 1); retrieving a list of links from the Web page identified by the URL code (Fig. 4 and S.2.1, pg.3, par. 5 and S.2.4, pg. 6, par. 2);

Art Unit: 2179

displaying the list of links (Fig. 4 and Bookstore, Van Gogh Bedroom); receiving a user selection of a given one of the links from the list of links (S.2.1, pg. 4, par. 3); retrieving a list of services which may be performed using the given link (S.2.4, pg. 6, par. 2 and S.2.1, pg. 4, par. 3), the list of services hosted separately from the list of links (S.2.2, pg. 4, par. 5 and Fig. 6); and displaying the list of services (S.2.4, pg. 6, par. 2 and S.3.2.1, pg. 8, par. 4 and 5).

As to dependent claim 2, Kindberg et al discloses the method of claim 1, wherein the step of displaying the list of services comprises the step of: displaying a standard list of services independent of the given link (S.3.2.1, pg. 8, par. 4,5 and S.2.1, pg.4, par. 3); and displaying one of a number of link dependent services as identified by the given link (S.3.2.1, pg. 8, par. 4,5 and S.2.1, pg.4, par. 3).

As to dependent claim 3, Kindberg et al discloses the method of claim 2, wherein the standard list of services consists of one or more of the following: printing the Web page identified by the given link (S.2.4, pg. 6, par. 2); faxing the Web page identified by the given link; emailing the given link; displaying the contents of the Web page identified by the given link (Fig.4); transmitting the given link as a pager message.

As to dependent claim 8, Kindberg et al discloses the method of claim 1, wherein the standard list of services consists of one or more of the following: printing the Web

Art Unit: 2179

page identified by the given link (S.2.4, pg. 6, par. 2); faxing the Web page identified by the given link; emailing the given link; displaying the contents of the Web page identified by the given link (Fig.4); transmitting the given link as a pager message.

As to dependent claim 10, Kindberg et al discloses the method of claim 1, wherein the step of displaying the list of services comprises the step of: displaying a standard list of services (S.3.2.1, pg. 8, par. 4,5 and S.2.1, pg. 4, par. 3); and displaying a list of services dependent on a location of the mobile device from a location of where the services can be performed relative to the user (S.2.1, pg. 3, par. 5).

As to dependent claim 13, Kindberg et al discloses the method of claim 1, wherein the step of displaying the list of services comprises the step of: displaying a standard list of services (S.3.2.1, pg. 8, par. 4,5 and S.2.1, pg. 4, par. 3); and displaying a list of services dependent on a characteristic of the user (S.2.1, pg. 3, par. 5).

---

**New claim analysis**

2(a). Claims 15-20 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Kindberg et al (<http://www.hpl.hp.com/techreports/2000/HPL-2000-16.pdf>).

**As to NEW dependent claims 15-20**, Kindberg teaches the method of claim

1(note the analysis above), wherein displaying the list of links further comprises

- scrolling down the list of links by a user for a list of links longer than the number of links that can be displayed to the user's communication device screen (figure 4, wherein there is depicted a scroll bar for showing more of a display screen wherein this interface is presented on the user's communication device).
- Displaying a button, which when selected displays additional screens of any additional links for a list of links longer than the number of links that can be displayed to the user's communications device screen (figure 4, note the analysis above).
- Displaying a button, which when selected displays offsite links (figure 4, the favorites tab, which is located on top of the menu bar. As known in the art the favorites tab featured in many browsers holds recently discovered URLs that are of interest to the user, upon which can have no relevance to the current URL being visited, in this case the Museum).
- Displaying a button, which when selected displays the previous screen (figure 4, the arrow icon is indicative of a previous page function as appreciated to those skilled in the art of browsers).

Art Unit: 2179

- Displaying one or more of the following parsed from the web page:  
phone numbers, addresses and email address (section 2.1, par.5).
- Wherein dependent links can be one of owner dependent, format dependent and language dependent (section 2.1 par4 and 7;  
wherein the user communicates with a printer and the printer sends a dependent link that of a printer document, also the user has favorites which can be set as a dependent link, as well as first part dependent links that are default upon first activation from user as appreciated by those skilled in the art of default setup electronic devices).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

Art Unit: 2179

were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kindberg in view of Yamakita, Tooru (US 6,272,490 B1).

**As to NEW dependent claim 14**, Kindberg teaches the method of claim 1 (note the discussion above), Kindberg does not specifically mention the ordering of list but can be appreciated that a simple function of ordering can be applied, especially since the use of a windows browser is present (figure 4) however in the same problem sought to be solved Yamakita teaches ordering of the display of links by number of times user has navigated to that link (col.6, line 55). It would have been obvious to one of ordinary skill in the art to combine the method of Yamakita into the system of Kindberg because of the technique for automatically appending a link destination address on a computer network to a document data is commonly shared (col.1, line 5).

**It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably**



Art Unit: 2179

suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

### ***Response to Arguments***

Applicant's arguments filed 11/3.0/2006 have been fully considered but they are not persuasive.

**As to the arguments of claim 1:** Applicant argues Kindberg does not disclose retrieving a list of links from the web page identified by the URL code.

Examiner does not agree. Kindberg teaches Veronica visiting a city (San Francisco), this city is a web-present entity, which is a URL in a physical environment. Her attached PDA picks up that she is in a city (she entered into a URL or to a URL) wherein a list of links corresponding to items, services, places and things are communicated and displayed as links onto her PDA (section 2.1 and figure 1). Thus the user can use the method of inputting a URL onto the mobile device or visiting a physical place that acts, does the same function as the action of entering in a URL. There upon the activation of the URL information containing about the selected web presence is presented to the user, in relation to a list of web links relating to the area.

Applicant argues Kindberg discloses neither displaying the list of links nor receiving a user selection of a given one of the links from the list of links.

Art Unit: 2179

Examiner does not agree. Kindberg teaches that of Veronica's PDA downloads URL's using HTTP protocol and "presents these to her as web links" and "she may select them as she travels." (section 2.1, par.4). Thus there is evidence of presentation of web links and user interaction with the web links that were downloaded onto the PDA.

Applicant argues Kindberg does not disclose retrieving a list of services, which may be performed using a given link, the list of services hosted separately from the list of links.

Examiner does not agree. Kindberg teaches when Veronica enters a URL (such that when she arrives to a city) that web-presences are downloaded to her PDA as a plurality of web links as previously discussed. The list of services can be hosted separately than from a list of web links (note the example in section 2.1, par.5). Wherein Veronica tries to get into contact with her friend Harry. Harry has given a URL to Veronica, inside of this URL are web links to how to communicate with Harry, Of course those skilled in the art will appreciate that Harry's URL site is hosted separately from the service of communication as given in the example (phone and email), wherein the phone is serviced and hosted by a mobile phone company provider of Veronicas that much as the email service is hosted separately from an individual ISP or third party such as mail.yahoo.com or hotmail.com .

Art Unit: 2179

Applicant argues Kindberg does not disclose displaying the list of services.

Examiner does not agree not the above argument wherein Veronica's PDA downloads URL's using HTTP protocol and "presents these to her as web links" and "she may select them as she travels." (section 2.1, par.4)

**As to the arguments of claim 2** Applicant argues Kindberg does not disclose that these services are displayed as a list in addition to a standard list of services.

Examiner does not agree. Of course those skilled in the art would appreciated that if a plurality of information is being displayed to user, information that of a plurality of web links, that the display methods would be of a list, grid, row and column, some kind of organization; which in its base design resolves itself back to being a simple list and does not yield any creative method to determine of it just being a list and nothing else. Also note the in figure 4, Veronica has visited a Museum to which provides services in a list manner as noted in the left windowpane and right windowpane of the figure.

**As to the arguments of claim 13** Applicant argues that user characteristics comprise one or more of the following: "user preferences specified by the user on the user's communications device; type of communications device used by the user; and cost of services for which the user will pay" Three of the three limitations were not claimed.

Art Unit: 2179

Claim 13 claims as follows "...and displaying a list of services dependent on a characteristic of the user". To which in that respect is open ended for interpretation for that of one of ordinary skill in the art can agree that a users location wherein the location dependent on the list of services to be displayed is a key characteristic. Also for further argument the limitation "users preferences specified by the user on the user's communication device", wherein the factory settings of the application cool town from HP is that of the configuration of setting up an automatic awareness that displays web services dependent on user location and the like.

### ***Conclusion***

\* Embedding web access mechanism in an appliance for user interface functions including a web server and web browser, US Patent No. 5956487 (September 21, 1999). Inventors: C. Venkatraman and J. Morgan, Assignee: Hewlett-Packard Company, Palo Alto, CA.

\* Erik Guttman, Service Location Protocol: Automatic Discovery of IP Network Services, IEEE Internet Computing, v.3 n.4, p.71-80, July 1999

\* Petros Maniatis , Mema Roussopoulos , Ed Swierk , Kevin Lai , Guido Appenzeller , Xinhua Zhao , Mary Baker, The mobile people architecture, ACM SIGMOBILE Mobile Computing and Communications Review, v.3 n.3, p.36-42, July 1999

***Inquires***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056. The examiner can normally be reached on Monday - Friday: 7:30- 5:00.

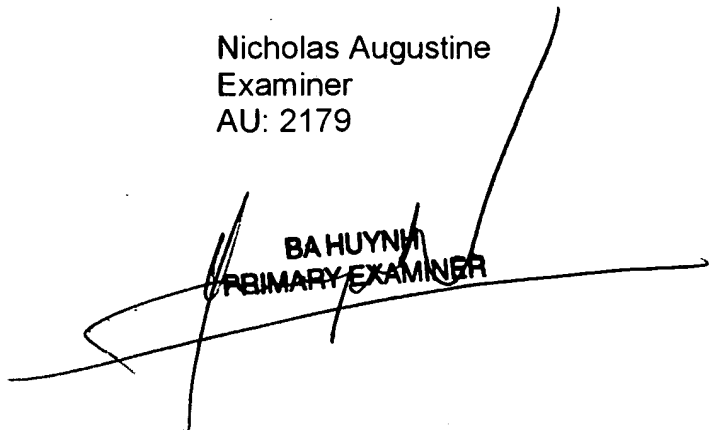
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



N. Augustine  
January 24, 2007

Nicholas Augustine  
Examiner  
AU: 2179



BA HUYNH  
PRIMARY EXAMINER